

(Pub. L. 101-628, title V, §507, Nov. 28, 1990, 104 Stat. 4495.)

SUBCHAPTER CXVIII—ED JENKINS NATIONAL RECREATION AREA AND COOSA BALD NATIONAL SCENIC AREA

**§ 460ggg. Wilderness**

**(a) Designation**

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131-1136), the following lands in the State of Georgia are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(1) Certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 7,800 acres, as generally depicted on a map entitled “Blood Mountain Wilderness—Proposed”, dated October 1991, and which shall be known as Blood Mountain Wilderness.

(2) Certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 16,880 acres, as generally depicted on a map entitled “Chattahoochee Headwaters Wilderness—Proposed”, dated July 1991, and which shall be known as Mark Trail Wilderness.

(3) Certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 1,160 acres, as generally depicted on a map entitled “Brasstown Wilderness Addition—Proposed”, dated July 1991, and which is hereby incorporated in and shall be part of the Brasstown Wilderness as designated by section 2(2) of the Georgia Wilderness Act of 1986 (100 Stat. 3129).

**(b) Administration**

Subject to valid existing rights, each wilderness area designated by this subchapter shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act [16 U.S.C. 1131 et seq.] governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to December 11, 1991.

(Pub. L. 102-217, §2, Dec. 11, 1991, 105 Stat. 1667.)

**Editorial Notes**

REFERENCES IN TEXT

The Wilderness Act, referred to in text, is Pub. L. 88-577, Sept. 3, 1964, 78 Stat. 890, as amended, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

Section 2(2) of the Georgia Wilderness Act of 1986, referred to in subsec. (a)(3), is section 2(2) of Pub. L. 99-555, Oct. 27, 1986, 100 Stat. 3129, which enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

The effective date of the Wilderness Act, referred to in subsec. (b), means Sept. 3, 1964, the date of enactment of Pub. L. 88-577, which enacted chapter 23 of this title.

**Statutory Notes and Related Subsidiaries**

SHORT TITLE

Pub. L. 102-217, §1, Dec. 11, 1991, 105 Stat. 1667, provided that: “This Act [enacting this subchapter] may

be cited as the ‘Chattahoochee National Forest Protection Act of 1991’.”

SAVINGS PROVISION

Pub. L. 102-217, §6, Dec. 11, 1991, 105 Stat. 1670, provided that: “Privately held lands within the areas designated by this Act [enacting this subchapter] will not be administered as wilderness, a national scenic area, or a national recreation area, as appropriate, unless such lands are acquired by the Secretary.”

REDESIGNATION OF NATIONAL RECREATION AREA

Pub. L. 102-456, Oct. 23, 1992, 106 Stat. 2264, provided that:

“SECTION 1. REDESIGNATION.

“Springer Mountain National Recreation Area in the Chattahoochee National Forest, in the State of Georgia, is hereby redesignated as ‘Ed Jenkins National Recreation Area’.

“SEC. 2. LEGAL REFERENCES.

“Any reference in any law, regulation, document, record, map, or other paper of the United States to Springer Mountain National Recreation Area is deemed to be a reference to Ed Jenkins National Recreation Area.”

**§ 460ggg-1. National scenic area**

**(a) Designation and purposes**

For the purposes of protecting and enhancing the natural beauty, special ecological features, watershed integrity, mature-forest habitat, scenic recreation opportunities and other distinctive values of certain lands in Georgia, the lands in the Chattahoochee National Forest, Georgia, which comprise approximately 7,100 acres, as generally depicted on a map entitled “Coosa Bald Scenic Area—Proposed”, dated July 1991, are designated as a national scenic area and shall be known as the Coosa Bald National Scenic Area (hereafter in this section referred to as the “scenic area”).

**(b) Administration**

(1) Subject to valid existing rights, the Secretary shall administer the scenic area in accordance with the laws, rules, and regulations applicable to the National Forest System in such a way as to further the purposes of this section.

(2) The Secretary may permit additional road construction in the scenic area in furtherance of the purposes for which the scenic area is established. Except as provided in this section, the Secretary may not conduct timber harvesting in the scenic area. The Secretary may remove timber in the scenic area in furtherance of this section, but only in a manner which does not impair the purposes for which the scenic area is established. Salvage or sanitation harvesting of timber stands which are substantially damaged by fire, windthrow or other catastrophe, or are in imminent danger from insect or disease attack, is authorized to maintain forest health. Timber harvesting is authorized to provide for visitor safety.

(3) By virtue of this designation alone, the Secretary need not change patterns of public access or closure on existing permanent national forest development roads. At his discretion, however, the Secretary may open or close such existing roads for public use for reasons of sound resource management.

(4) Nothing in this section shall prevent the completion of existing timber sales under contract.

(5) The scenic area is hereby withdrawn from the operation of all laws pertaining to mineral leasing.

(6) The Secretary may also permit, in his discretion, the continued maintenance of existing wildlife openings, in cooperation with the State of Georgia and other Federal, State, and private cooperators, and may permit new wildlife openings in furtherance of the purposes for which the scenic area is established.

(7) The Secretary shall protect, enhance, and promote the public's opportunities for primitive and semiprimitive experiences in the scenic area.

(Pub. L. 102-217, §3, Dec. 11, 1991, 105 Stat. 1667.)

#### Editorial Notes

##### REFERENCES IN TEXT

The laws pertaining to mineral leasing, referred to in subsec. (b)(5), are classified generally to Title 30, Mineral Lands and Mining.

### § 460ggg-2. Recreation area

#### (a) Designation and purposes

For the purposes of ensuring the protection of certain natural, scenic, fish and wildlife, historic and archaeological, wildland and watershed values, and providing for the enhancement of the recreation opportunities associated with these values, certain lands in the Chattahoochee National Forest, Georgia, which comprise approximately 23,330 acres, as generally depicted on a map entitled "Springer Mountain National Recreation Area—Proposed", dated October 1991, are hereby designated as a national recreation area and shall be known as Ed Jenkins National Recreation Area (hereafter in this section referred to as the "recreation area").

#### (b) Administration

(1) Subject to valid existing rights, the Secretary shall administer the recreation area in accordance with the laws, rules, and regulations applicable to the national forests in such a way as to further the purposes of this section. Except as provided in this section, the Secretary may not conduct timber harvesting in the recreation area. The Secretary may remove timber in the recreation area in furtherance of this section, but only in a manner which does not impair the purposes for which the recreation area is established. Salvage or sanitation harvesting of timber stands which are substantially damaged by fire, windthrow or other catastrophe, or are in imminent danger from insect or disease attack, is authorized to maintain forest health. Timber harvesting is authorized to provide for visitor safety.

(2) Nothing in this section shall prevent the completion of existing timber sales under contract. The Secretary may permit additional road construction in the area in furtherance of the purposes for which the recreation area is established.

(3) By virtue of the designation under this section, the Secretary need not change patterns of public access or closure on existing permanent

national forest development roads. At his discretion, however, the Secretary may open or close such existing roads to public use for reasons of sound resource management.

(4) Lands within the recreation area are hereby withdrawn from the operation of all laws pertaining to mineral leasing.

(5) The Secretary may permit, in his discretion, the continued maintenance of existing wildlife openings, in cooperation with the State of Georgia and other Federal, State, and private cooperators, and may permit new wildlife openings in furtherance of the purposes for which the recreation area is established.

(6) The Secretary shall protect, enhance, and promote the public's opportunities for primitive and semiprimitive recreation in the recreation area.

(7) Designation by this section shall not interfere with rights of access to privately held lands.

(Pub. L. 102-217, §4, Dec. 11, 1991, 105 Stat. 1668; Pub. L. 102-456, §2, Oct. 23, 1992, 106 Stat. 2264.)

#### Editorial Notes

##### REFERENCES IN TEXT

The laws pertaining to mineral leasing, referred to in subsec. (b)(4), are classified generally to Title 30, Mineral Lands and Mining.

##### AMENDMENTS

1992—Subsec. (a). Pub. L. 102-456 substituted "Ed Jenkins National Recreation Area" for "Springer Mountain National Recreation Area".

### § 460ggg-3. Maps and legal descriptions

As soon as practicable after December 11, 1991, the Secretary of Agriculture shall file a map and a legal description of each area designated by this subchapter with the Committee on Natural Resources and the Committee on Agriculture of the House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the Senate. Each such map and description shall have the same force and effect as if included in this subchapter, except that correction of clerical and typographical errors in each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

(Pub. L. 102-217, §5, Dec. 11, 1991, 105 Stat. 1669; Pub. L. 103-437, §6(d)(25), Nov. 2, 1994, 108 Stat. 4584.)

#### Editorial Notes

##### AMENDMENTS

1994—Pub. L. 103-437 substituted "Natural Resources" for "Interior and Insular Affairs" after "Committee on".

### SUBCHAPTER CXIX—SPRING MOUNTAINS NATIONAL RECREATION AREA

### § 460hhh. Definitions

As used in this subchapter:

#### (1) National Forest lands

The term "National Forest lands" means lands included in the National Forest System (as defined in section 1609(a) of this title).